

REMARKS

Rejection of claims 67, 2, 5, 19, 31, 32 and 68 under 35 USC 102(b) as being anticipated by Sacrey (US 2,015,535)

Sacrey discloses a cutting instrument. The cutting instrument includes a body having a hollow handle portion 15 in which an electric motor is mounted with its axis extending lengthwise of the handle portion and a head at one end of the body arranged with its axis at an angle to the handle portion. A head includes a reciprocating tool holder mounted thereon. A motion transmitting means is located in the head between the rotor of the motor and the reciprocating tool holder to transmit the rotary-motion into a reciprocating motion. A knife is mounted in the head and is actuated in a reciprocating manner to cut a cast.

Independent claims 67 and 68, as amended include the limitation of a cutting means comprising a stationary first portion and a moveable second portion. Each of the first and second portions includes a single cutting edge configured to cooperate to cut along a common cutting plane which is aligned substantially perpendicularly with the cast. An actuator is coupled to the second portion such that the cutting edges of the first and second portions effect cutting through the cast plane from opposing sides by a shearing action. The Sacrey reference teaches a reciprocating motion and not a shearing motion. The Sacrey reference also does not teach first and second portions having a single cutting edge. Therefore, the Sacrey reference does not teach each and every limitation of Claims 67 and 68. (See MPEP section 2131) Dependant claims 2, 5, 19, 31 and 32 are also not anticipated. Withdrawal of the above rejection is respectfully requested.

Rejection of claims 67, 2, 5, 19, 31, 32, 34-35 and 68 under 35 USC 102(b) as being anticipated by Wang (US 6,308,421)

Wang discloses a multi use scissors. The multi use scissors includes a first grip, a second grip and a blade bar which are pivotally connected with each other. A link is pivotally connected between the second grip and the blade bar to form a double lever. A multi-use blade sheath unit is fitted with the front end of the first grip.

Independent claims 67 and 68, as amended include the limitation of a cutting means comprising a stationary first portion and a moveable second portion. Each of the first and second portions includes a single cutting edge configured to cooperate to cut along a common cutting plane which is aligned substantially perpendicularly with the cast. An actuator is coupled to the second portion such that the cutting edges of the first and second portions effect cutting through the cast plane from opposing sides by a shearing action. The Wang reference teaches a single blade section that may be pivoted to act on the blade sheath. The blade sheath may be configured to have differing shapes to accommodate different shaped objects. There is no disclosure of first and second portions having a single edge. The Wang reference also does not teach an actuator coupled to the second portion such that the cutting edges of the first and second portions effect cutting through the cast plane from opposing sides by a shearing action. Therefore, the Wang reference does not teach each and every limitation of Claims 67 and 68. (See MPEP section 2131) Dependant claims 2, 5, 19, 31, 32 and 34-35 are also not anticipated. Withdrawal of the above rejection is respectfully requested.

Rejection of Claim 20 under 35 USC 103(a) as being unpatentable over Wang (US 6,308,421)

As stated above, the Wang reference does not teach first and second portions having a single edge. The Wang reference also does not teach an actuator coupled to the second portion such that the cutting edges of the first and second portions effect cutting through the cast plane from opposing sides by a shearing action. To establish prima facie obviousness all the claim limitations must be taught or suggested by the prior art. (see MPEP section 2143.03) As there is no disclosure of first and second portions having a single edge or an actuator coupled to the second portion such that the cutting edges of the first and second portions effect cutting through the cast plane from opposing sides by a shearing action, applicant's attorney respectfully requests withdrawal of the rejection.

Conclusion

It is argued that the present amendment places all of the claims in condition for allowance and a notice to that effect is respectfully requested. The Examiner is invited to telephone the undersigned attorney if doing so would advance prosecution of this case.

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Respectfully submitted,

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